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Supreme Court of the United States

OCTOBER TERM, 1961

No. 581

AN-SON OFFSHORE DRILLING COMPANY,
Petitioner

against

TEXAS SAN JUAN OIL CORPORATION,
Respondent

PETITION FOR CERTIORARI TO THE COURT OF APPEALS FOR THE SECOND CIRCUIT

No.

AN-SON OFFSHORE DRILLING COMPANY,
Petitioner

against

HONORABLE RICHARD H. LEVET, UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF NEW YORK,
Respondent

MOTION FOR LEAVE TO FILE PETITION FOR MANDAMUS OR PROHIBITION; AND PETITION FOR MANDAMUS OR PROHIBITION

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MOTION FOR LEAVE TO FILE PETITION FOR MANDAMUS OR PROHIBITION; AND PETITION FOR MANDAMUS OR PROHIBITION

MOTION FOR LEAVE TO FILE PETITION FOR MANDAMUS OR PROHIBITION

Petitioner moves the Court for leave to file, under 28 USC 1651, the annexed petition for writs of mandamus

or prohibition; and moves that an order and rule be entered and issued, directing the Honorable Richard H. Levet, Judge of the United States District Court for the Southern District of New York, to show cause why writs of mandamus or prohibition should not be issued against him in accordance with the prayer of said petition, and why petitioner should not have such other and further relief in the premises as may be just and meet.

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November 29, 1961

PETITION FOR CERTIORARI TO THE COURT OF APPEALS FOR THE SECOND CIRCUIT, AND FOR MANDAMUS OR PROHIBITION TO THE DISTRICT COURT FOR THE SOUTHERN DISTRICT OF NEW YORK

Petitioner seeks *certiorari* to review an order of the Court of Appeals for the Second Circuit, denying petitioner's petition for writs of mandamus or prohibition to the Honorable Richard H. Levet, United States District Judge for the Southern District of New York; and petitioner also seeks writs of mandamus or prohibition to require the District Court to vacate its order entered on September 8, 1961, and to order transfer of this civil action, and the pendant arbitration, to the Eastern District of Louisiana.

OPINIONS BELOW and JURISDICTION

The opinion of the District Court, which has not yet been reported, is printed in the appendix hereto.

The Court of Appeals rendered its order, without written opinion, on October 30, 1961.

Jurisdiction of this Court lies under 28 USC 1254 and 1651.

QUESTION PRESENTED

The novel and important question of federal statutory construction presented for review is:

> Are a civil action to compel arbitration, and the pendant arbitration itself, subject to transfer